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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Application of:

James Shuder, et al.

Serial No. 09/982,211

Filed: October 17, 2001

For: Method and System for
Processing Timecard
Related Information in a
Purchase Order
Procurement System

§ Group Art Unit: 3627
§
§ Examiner: Jasmin, Lynda C.
§
§ Atty. Dkt. No.: 5681-90600
§ P6552

CERTIFICATE OF MAILING 37 C.F.R. § 1.8	
I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date indicated below:	
Robert C. Kowert Name of Registered Representative	
September 14, 2006 Date	 Signature

APPEAL BRIEF

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir/Madam:

Further to the Notice of Panel Decision mailed August 14, 2006, Appellants present this Appeal Brief. **This Appeal Brief is timely filed within the one month period from the mailing date of the Notice of Panel Decision. Accordingly, no extension of time fee should be due.** Appellants respectfully request that the Board of Patent Appeals and Interferences consider this appeal.

I. REAL PARTY IN INTEREST

As evidenced by the assignment recorded at Reel/Frame 012684/0196, the subject application is owned by Sun Microsystems, Inc., a corporation organized and existing under and by virtue of the laws of the State of Delaware, and now having its principal place of business at 4150 Network Circle, Santa Clara, CA 95054.

II. RELATED APPEALS AND INTERFERENCES

No other appeals, interferences or judicial proceedings are known which would be related to, directly affect or be directly affected by or have a bearing on the Board's decision in this appeal.

III. STATUS OF CLAIMS

Claims 1-22 are pending and stand finally rejected. The rejection of claims 1-22 is being appealed, a copy of which, as currently pending, is included in the Claims Appendix herein below.

IV. STATUS OF AMENDMENTS

No amendments to the claims have been submitted subsequent to the final rejection.

V. SUMMARY OF CLAIMED SUBJECT MATTER

Independent claim 1 is directed toward a system including a processor, and a memory coupled to the processor (*See e.g.*, Figure 1; page 16, line 16 – page 17, line 8). The memory includes program instructions executable by the processor to implement a computer implemented procurement module. The procurement module is configured to process both purchase order requisitions each specifying one or more goods to be purchased and timecard information specifying time information related to one or more rendered services (*See e.g.*, Figures 2, 5; page 18, line 16 – page 19, line 6).

The procurement module includes a buyer module and a timecard module (*See e.g.*, Figure 3; page 22, line 6 – page 23, line 13). The buyer module is configured to receive information related to contractor services and generate an electronic timecard in response thereto (*See e.g.*, Figure 3; page 22, line 6 – page 23, line 13). For example, the system may allow a contractor or buyer to generate a timecard including service description and amounts (*See e.g.*, page 4, lines 17 –18). The timecard module is configured to receive one or more electronic timecards from the buyer module and generate a purchase order based on one or more approved electronic timecards (*See e.g.*, Figure 2; page 21, lines 5-14). The purchase order is configured for use in generating a payment for the contractor services (*See e.g.*, page 5, lines 2 – 8).

Independent claim 11 is directed toward a method of approving an electronic timecard. The method includes generating an electronic timecard that includes line items describing a contractor, services rendered, hourly amounts, and hourly rates (*See e.g.* Figure 4A; page 27, lines 1-10). Furthermore, the method includes, in response to generating the electronic timecard, generating a notification to an approver associated with the contractor (*See e.g.* Figure 4B; page 28, lines 4-9). The notification includes an approval from and information related to the electronic timecard (*See e.g.*, Figure 4B; page 28, lines 9-10). The method further includes, in response to receiving the approval form indicating approval of the timecard, generating a purchase order that includes information from the timecard (*See e.g.* page 28, lines 10-15). Additionally, the method

includes transmitting the purchase order to execute payment to the contractor of the timecard (*See e.g.*, Figure 5; page 34, lines 9-14).

Additionally, each element of the method (*e.g.*, generating the timecard, generating the notification, generating the purchase order, and transmitting the purchase order) is performed by a procurement system configured to process both purchase order requisitions each specifying one or more goods to be purchased and timecard information specifying time information related to one or more rendered services (*See e.g.*, Figure 5; page 32, line 15 – page 34, line 14).

Independent claim 17 is directed toward a computer system including a processor coupled to a bus and a memory coupled to the bus. The memory includes program instructions executable by the processor to implement a method of approving an electronic timecard (*See e.g.*, Figure 1; page 16, line 16 – page 17, line 8).

The method of approving the electronic timecard includes generating an electronic timecard including line items describing a contractor, services rendered, hourly amounts, and hourly rates (*See e.g.* Figure 4A; page 27, lines 1-10). In response to generating the electronic timecard, the method includes generating a notification to an approver associated with the contractor (*See e.g.* Figure 4B; page 28, lines 4-9). Furthermore, the notification includes an approval form and information related to the electronic timecard (*See e.g.*, Figure 4B; page 28, lines 9-10). In response to receiving the approval form indicating approval of the timecard, the method includes generating a purchase order comprising information from the timecard (*See e.g.* page 28, lines 10-15).

The method further includes transmitting the purchase order to execute payment to the contractor of the timecard (*See e.g.*, Figure 5; page 34, lines 9-14). Additionally, generating the electronic timecard, generating the notification, generating the purchase order, and transmitting the purchase order are performed by a procurement system configured to process both purchase order requisitions and timecard information. Each of the purchase order requisitions specifies one or more goods to be purchased. Also, the

timecard information specifies time information related to one or more rendered services (See e.g., Figure 5; page 32, line 15 – page 34, line 14).

The summary above describes various examples and embodiments of the claimed subject matter; however, the claims are not necessarily limited to any of these examples and embodiments. The claims should be interpreted based on the wording of the respective claims.

VI. GROUND OF REJECTION TO BE REVIEWED ON APPEAL

1. Claims 1-22 stand finally rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which appellant regards as the invention.

2. Claims 1-22 stand finally rejected under 35 U.S.C. § 102(e) as being anticipated by Haney (U.S. Publication 2001/0051889).

VII. ARGUMENT

First Ground of Rejection

Claims 1-22 stand finally rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which appellant regards as the invention. Appellants respectfully traverse this rejection for at least the following reasons.

The Examiner contends that the recitation of “each specifying one or more goods to be purchased” in claims 1, 11 and 17 renders those claims indefinite “since it is unclear as to which ‘each specifying’ [Applicants] are referring to”. However, there is only one recitation of “each specifying” in each of claims 1, 11 and 17. For example, claim 1 recites, in part, “a computer implemented procurement module configured to processes both purchase order requisitions each specifying one or more goods to be purchased and timecard information specifying time information related to one or more rendered services” (*italics added*). The phrase “each specifying one or more goods to be purchased” clearly modifies the “purchase order requisitions”. Claims 11 and 17 use similar language. One skilled in the art would have no difficulty understanding the subject matter and scope of claim 1. Accordingly, Appellants respectfully assert that claims 1-22 are in complete compliance with 35 U.S.C. § 112, second paragraph.

Second Ground of Rejection

Claims 1-22 stand finally rejected under 35 U.S.C. § 102(e) as being anticipated by Haney (U.S. Publication 2001/0051889). Appellants respectfully traverse this rejection for at least the following reasons. Different groups of claims are addressed under their respective subheadings.

Claims 1-6

Regarding claim 1, as discussed in Appellants' Related Art section on p. 1 of the specification (as well as in Appellants' previously filed Appeal Brief), existing computer controlled software systems that provide for the management of contract labor are stand-alone programs dedicated solely to the management of contract labor services. Haney is exactly the type of prior art referred to in Appellants' Related Art section. Haney's computer implemented system pertains *solely to managing contract labor services*. In contrast, Appellants' invention involves the integration of contract labor services management with a procurement system for procuring goods. Appellants' invention treats the contractor as a buyer requesting a purchase order for goods, but the buyer is requesting a purchase order in payment for his time worked. This allows the same approval process normally used for approving purchase requests for goods to also be used for approving the contractor's request for payment. Note that treating a contractor as a buyer is completely counter-intuitive from how the prior art manages contractor services. The prior art, such as Haney, treats contractors as vendors, not buyers. In prior art contractor management systems, such as Haney, the organization hiring the contractor is considered to be the buyer. By reversing these roles, Appellants' invention allows the same procurement system that is used for procurement of goods to be used for managing contractor services. Such a system is clearly not anticipated by Haney.

More specifically, Haney fails to disclose, *inter alia*, a timecard module configured to generate a purchase order based on one or more approved electronic timecards. Instead, purchase orders are generated in Haney's system as part of the contract labor request procurement process. Specifically, Haney generates a purchase order after selecting a candidate to perform desired contract services, but before the candidate is actually hired or performs any works and certainly before any electronic timecards are generated or approved. *See e.g.*, Haney, paragraphs [0021 – 0022] and [0030]. Since, in Haney's system timecards are generated after (at least portions of) the desired work is performed by the selected contractor and since the purchase order for the

desired work was generated previous to the start of the contract work, Haney's purchase order not only does not, but cannot, include information from an electronic timecard. Thus, Haney actually teaches away from generating a purchase order based on approved electronic timecards.

In the Response to Arguments section of the last Action, the Examiner argues since Appellants' claim "includes a server that is 'configured to' do this and 'configured to' do that ... Applicants have not claimed that the claimed machine *actually performs* any of the 'configured to' actions"" (italics by Examiner). The Examiner further states, "[w]ith the proper software, the standard PC is 'configured to' perform virtually unlimited number of functions". However, the prior art does not teach "the proper software" to function as recited in Appellants' claim 1. In response to the Examiner's assertion that the claimed machine is not claimed as actually performing any of the actions, Appellants note that claim 1 is not a method claim. By definition, a claim to an apparatus recites the configuration (either structural or functional) of an apparatus, not the performance of actions. The cited art does not recite a system configured to function as recited in claim 1. More specifically, Haney clearly fails to disclose, *inter alia*, a timecard module configured to generate a purchase order based on one or more approved electronic timecards. Whether or not a standard PC, if loaded with the proper software, *could be* configured to include a timecard module configured to generate a purchase order based on one or more approved electronic timecards is irrelevant because the prior art does not teach any such system configured to so operate. The Examiner has not cited any prior art that discloses a standard PC loaded with the proper software so that it includes a timecard module configured to generate a purchase order based on one or more approved electronic timecards. Instead, the Examiner has rejected claim 1 under 35 U.S.C. § 102(e) as being anticipated by Haney. As noted above, Appellants argue that Haney fails to disclose a timecard module configured to generate a purchase order based on one or more approved electronic timecards. The Examiner has not provided any additional argument or rebuttal regarding Appellants' actual argument.

Furthermore, the use of “configured to” does recite positive claim limitations accorded full patentable weight. There is no requirement that an invention must be claimed only in terms of actual operation. When computer software is stored on a computer medium it is configured to perform certain specified functions. There is no requirement that software can be patented only in a mode of actually performing those functions. The use of “configured to” language is a standard form of functional claim limitation clearly recognized in the law as carrying patentable weight. **According to M.P.E.P. § 2173.05(g), “[a] functional limitation must be evaluated and considered, just like any other limitation of the claim” (emphasis added).** The courts have held that a functional claim limitation was “perfectly acceptable [to distinguish over the prior art] because it set definite boundaries on the patent protection sought.” *In re Barr*, 444 F.2d 588, 170 USPQ 33 (CCPA 1971).

In response to Appellants’ argument that Haney teaches away from generating a purchase order based on approved electronic timecards, the Examiner refers to Haney’s teachings regarding a resource manager verifying a CLR form. However, as noted above, Haney’s CLR form is used as part of the contract labor request procurement process and specifically before the candidate is actually hired or performs any work and certainly before any electronic timecards are generated or approved (Haney, paragraphs [0020 – 0026]). For instance, Haney teaches that “when requesting manager 22 needs contract labor, she uses her computer to access contract computer 28” and that “computer 28 then provides a contract labor request (CLR)” (Haney, paragraph [0024]). Haney further teaches that upon approval of the CLR a request coordinator allocates it to a resource manager, who then selects vendors to submit resumes of candidates able to fulfill the contract labor request (Haney, paragraphs [0026 – 0028]). Haney is quite clear that the CLR is part of the labor request, bidding and procurement process. Thus the CLR in Haney is explicitly **not** based on approved electronic timecards.

Further in regard to claim 1, Haney does not teach a computer implemented procurement module configured to process both purchase order requisitions each specifying one or more goods to be purchased and timecard information specifying

time information related to one or more rendered services. The Examiner has provided no evidence showing that Haney's system is actually capable of processing both purchase order requisitions specifying one or more goods to be purchased and timecard information specifying time information related to one or more rendered services. Nothing in Haney states or even implies that Haney's system is capable of processing both purchase order requisitions specifying goods to be purchased and timecard information specifying time information related to rendered services. If properly programmed, a computer system may performing a nearly infinite number and variety of functions. But no computer system anticipates a particular one of the infinite number and variety of functions unless it has actually been programmed to perform that function. A computer system configured with a specific set of software instructions (such as in Haney) is configured to perform only a finite set of functions (the functions described in Haney). The Examiner's assertions that Haney's computer system anticipates a computer implemented procurement module for processing both purchase order requisitions and timecard information, even though no evidence is present that Haney's system is configured to operate on purchase order requisitions, are clearly improper and incorrect. Haney's system is not described as being capable of functioning as recited in claim 1. Nor is such functionality inherent in Haney's system. Therefore, Haney cannot be said to anticipate claim 1.

In the Response to Arguments section of the last Action, the Examiner asserts, "Haney discloses a purchase order that may, for example, include the purchase order number, the purchase order date, the candidate's name and social security number, the vendor's name, remit to code, and address, the billing rates, the hours, the labor amount, the expense amount, the purchase order amount, the start date and the end date." Apparently the Examiner has misunderstood Appellants' argument. Appellants are not arguing that Haney fails to disclose a purchase order *per se*. Appellants are arguing that Haney fails to disclose a computer implemented procurement module configured to process *both purchase order requisitions and timecard information*, as discussed above. Haney's purchase order, referred to by the Examiner, is not based on and does not include timecard information. Instead, Haney's purchase order is generated upon

selection and final negotiations for the services of a candidate (Haney, paragraph [0030]). As the Examiner admits, the sending of a purchase order completes Haney's "contract labor request procurement process." As Appellants have argued above, Haney's purchase order is generated as part of the contract labor request procurement process and therefore does not, and cannot, include timecard information, since no labor has been performed when the purchase order is generated.

Thus, for at least the reasons presented above, the rejection of claim 1 is not supported by the cited art and removal thereof is respectfully requested.

Claim 7

In regard to claim 7, Haney does not disclose an external report generating module configured to generate information to be used by external applications and wherein the external report generating module is configured to format the information using XML data. The Examiner refers to paragraph [0036] in Haney, which describes his system as web-based, using E-mail and a web browser. However, this portion of Haney does not mention anything regarding an external report generating module configured to generate information formatted in XML.

In the Response to Arguments section of the last Action, the Examiner states that a web browser is software that lets a user view HTML documents and that both HTML and XML are markup languages. However, Haney only states, "possibly with the help of a web browser, ... to present information, a variety of other manners, such as fax or mail, may be used to send information between different entities in system 10, such as the vendors 40a-z and organization 20" (Haney, paragraph [0036]). Nowhere does Haney describe an external report generating module configured to generate information to be used by external applications and to format the information using XML data. Stating that using a web browser may possibly allow information to be faxed or mailed does not have anything to do with the specific limitation from Appellants' claim 7 regarding an external

report generating module configured to generate information to be used by external applications and to format the information using XML data.

Furthermore, the use of XML is not inherent in Haney. “Inherent anticipation requires that the missing descriptive material is ‘necessarily present,’ not merely probably or possibly present, in the prior art.” *Trintec Indus., Inc. v. Top-U.S.A. Corp.*, 295 F.3d 1292, 1295, 63 USPQ2d 1597, 1599 (Fed. Cir. 2002) (quoting *In re Robertson*, 169 F.3d 743, 745, 49 USPQ2d 1949, 1950-51 (Fed. Cir. 1999)). The use of XML is not “necessarily present” or required in all web browser software. For example, a web browser may function using only HTML and never use XML. The Examiner has not shown that XML is inherent or necessarily present in Haney’s system. Therefore, Haney cannot be said to anticipate claim 7.

Thus, the rejection of claim 7 is not supported by the prior art and removal thereof is respectfully requested.

Claim 8

With regard to claim 8, Haney does not disclose an electronic timecard comprising a plurality of line items describing said contractor services including: a contractor identification; a description of services rendered; an amount of hours performed for said services rendered; an hourly rate for the hours; and subtotals representing the amount of hours by the hourly rate. The Examiner refers to Haney’s FIG. 6, which indicates fields such as Vendor Name, Consultant Name, Social Security Number, etc. However, FIG. 6 of Haney does not indicate several of the specifically listed information fields, such as a description of services rendered, an hourly rate for the hours, and subtotals representing said amount of hours by said hourly rate. Instead, Haney teaches a timesheet that includes a consultant’s supervisor and project names, as well as account codes for the project. Haney describes how a consultant may enter the days and times worked. *See*, Haney, paragraph [0054]. Nowhere does Haney describe receiving electronic timecards and generating a purchase order based on one or more

approved electronic timecards that include description of services rendered, an hourly rate, and subtotals representing the amounts of hours by the hourly rate. Thus, Haney clearly does not anticipate claim 8.

Appellants note that the Examiner has not only failed to consider the specific limitations recited in Appellants' claim 8, but has also failed to ever address this argument when presented previously. For at least the reasons given above, the rejection of claim 8 is not supported by the prior art and removal thereof is respectfully requested.

Claim 9

Regarding to claim 9, Haney does not disclose that the timecard module comprises a contractor profile for a contractor, the contractor profile including: a contractor identification; authorized projects for the contractor; authorized work types for the contractor; an authorized hourly rate for the contractor; and an approver for the contractor. The Examiner refers to FIG. 4 and paragraphs [0049-51] in Haney. Haney's FIG. 4 depicts his contract labor request form including fields such as CLR Order No., Manager, Location, Phone Number, etc. However, none of the cited portions of Haney, nor any other portion of Haney, mention a contractor profile or the specific listed information fields: contractor identification; authorized projects for said contractor; authorized work types for said contractor; an authorized hourly rate for said contractor; and an approver for said contractor.

For at least the reasons given above, the rejection of claim 9 is not supported by the prior art and removal thereof is respectfully requested.

Claim 10

In regard to claim 10, Haney does not disclose an approval notification comprising information from the electronic timecard and an accounting code associated

with each line item of the electronic timecard. The Examiner refers to fields 614-616 of FIG. 6 in Haney. However at paragraph [0054], Haney states that fields 614-616 of FIG. 6 of the time sheet form contain account codes for a *particular project*, and FIG. 6 clearly shows a plurality of work segment line items for which no account codes are provided. Therefore, there is no teaching in Haney regarding an accounting code *associated with each line item* of an electronic timecard. Furthermore, the time sheet form illustrated in FIG. 6 of Haney is not an approval notification. Haney teaches that after a timesheet is submitted, the timesheet is relayed to the hiring manager for approval. Thus, rather than disclosing an approval notification comprising information from an electronic timecard, Haney teaches sending the actual time sheet to a manager for approval.

For at least the reasons given above, the rejection of claim 10 is not supported by the prior art and removal thereof is respectfully requested.

Claim 11-14 and 17-20:

As described above regarding claim 1, Haney fails to disclose a computer implemented procurement module configured to process both purchase order requisitions each specifying one or more goods to be purchased and timecard information specifying time information related to one or more rendered services. In contrast, Haney teaches a computer implemented system that pertains *solely to managing contract labor services*. The system of Haney has absolutely nothing to do with the procurement of goods (something manufactured or produced for sale).

Additionally as described above, Haney does not disclose generating a purchase order comprising information from an electronic timecard in response to receiving an approval form indicating approval of the electronic timecard. Instead, purchase orders are generated in Haney's system as part of the contract labor request procurement process. Specifically, Haney generates a purchase order after selecting a candidate to perform desired contract services, but before the candidate is actually hired or performs any work and certainly before any electronic timecards are generated or approved. (See

e.g., paragraphs [0021] and [0030]). As timecards are generated after (at least portions of) the desired work is performed by the selected contractor and since the purchase order was generated previous to the start of the contract work, Haney's purchase order not only does not, but also cannot, include information from an electronic timecard. Thus, Haney teaches away from generating a purchase order comprising information from an electronic timecard in response to receiving an approval form indicating approval of the electronic timecard.

Furthermore, Haney's system does not include a procurement system configured to process both purchase order requisitions each specifying one or more goods to be purchased and timecard information specifying time information related to one or more rendered services. The Examiner has provided no evidence showing that Haney's system is capable of processing both purchase order requisitions each specifying one or more goods to be purchased and timecard information specifying time information related to one or more rendered services. As described above regarding claim 1, nothing in Haney teaches or implies that Haney's system is capable of processing both purchase order requisitions for goods and timecard information for services. Disregarding specific software instructions, a computer system may in theory perform a nearly infinite number and variety of functions, but it clearly does not anticipate the infinite number and variety of functions. A computer system configured with a specific set of software instructions (such as in Haney) is configured to perform only a finite set of functions (the functions described in Haney). The Examiner's assertions that Haney's computer system anticipates a computer implemented procurement module for processing both purchase order requisitions and timecard information, even though no evidence is present that Haney's system is configured to operate on purchase order requisitions, is clearly an incorrect application of Haney. Haney's system is not capable of functioning as recited in claim 11.

Therefore, Haney cannot be said to anticipate claim 11. For a more detailed discussion regarding Haney's failure to teach a system that is capable of processing both purchase order requisitions for goods and timecard information for services, please refer

to Appellants' arguments above regarding claim 1.

Furthermore, in the Response to Arguments, the Examiner argues since Appellants' claim "includes a server that is 'configured to' do this and 'configured to' do that ... Applicants have not claimed that the claimed machine *actually performs* any of the 'configured to' actions'" (italics by Examiner). The Examiner further states, "[w]ith the proper software, the standard PC is 'configured to' perform virtually unlimited number of functions". **However, the Examiner has failed to consider the fact that claim 11 is a method claim that specifically recites, in part, "generating an electronic timecard", "generating a notification" "in response to receiving said approval form", "generating a purchase order", and "transmitting said purchase order".** Thus, the Examiner's argument in the Response to Arguments does not rebut Appellants' arguments as applied with regard to claim 11.

For at least the reasons given above, the rejection of claim 11 is not supported by the prior art and removal thereof is respectfully requested.

Claim 15 and 21:

In regard to claim 15, Haney does not teach a notification comprising accounting code associated with line items of the electronic timecard. The Examiner refers to fields 614-616 of FIG. 6 in Haney. However at paragraph [0054], Haney states that fields 614-616 of FIG. 6 of the time sheet form contain *account codes* for a particular project, and FIG. 6 clearly shows a plurality of work segment line items. Thus, there is no teaching in Haney regarding an accounting code *associated with line items* of an electronic timecard. Furthermore, the time sheet form illustrated in FIG. 6 of Haney is not an approval notification. Thus, Haney clearly fails to anticipate claim 15. For more information regarding Haney's failure to disclose a notification including accounting codes associated with line items of an electronic timecard, please see the discussion of claim 10 above.

For at least the reasons given above, the rejection of claim 15 is not supported by the prior art and removal thereof is respectfully requested.

Claim 16 and 22:

In regard to claim 16, Haney does not teach where transmitting a purchase order to execute payment to a contractor of a timecard is performed using XML data. The Examiner refers to paragraph [0036] in Haney, which describes his system as web-based, using E-mail and a web browser. However, this portion of Haney does not mention anything regarding an external application using information *formatted in XML*. As described above regarding claim 7, the Examiner states that a web browser is software that lets a user view HTML documents and that both HTML and XML are markup languages. Nowhere does Haney describe an transmitting a purchase order using XML data. Furthermore, as shown above, the use of XML is not inherent in Haney. Thus, Haney clearly cannot be said to anticipate claim 16. For a more detailed discussion regarding Haney's failure to teach the use of XML, please see Appellants' arguments above regarding claim 7.

For at least the reasons given above, the rejection of claim 16 is not supported by the prior art and removal thereof is respectfully requested.

CONCLUSION

For the foregoing reasons, it is submitted that the Examiner's rejection of claims 1-22 was erroneous, and reversal of her decision is respectfully requested.

Since Appellants' previous appeal was not heard by the Board, no fee should be due for this Appeal Brief (see M.P.E.P. § 1207.04). This Appeal Brief is timely filed within the one month period from the mailing date of the Notice of Panel Decision. Accordingly, no extension of time fee should be due. If any fee is due, the Commissioner is authorized to charge any fees that may be due to Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C. Deposit Account No. 501505/5681-90600/RCK. This Appeal Brief is submitted with a return receipt postcard.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'R. C. Kowert', with a long horizontal flourish extending to the right.

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Date: September 14, 2006

VIII. CLAIMS APPENDIX

The claims on appeal are as follows.

1. A system, comprising:

a processor; and

a memory coupled to the processor, wherein the memory comprises program instructions executable by the processor to implement:

a computer implemented procurement module configured to process both purchase order requisitions each specifying one or more goods to be purchased and timecard information specifying time information related to one or more rendered services, said procurement module comprising:

a buyer module configured to:

receive information related to contractor services; and

generate an electronic timecard in response thereto; and

a timecard module configured to:

receive one or more electronic timecards from said buyer module;

and

generate a purchase order based on one or more approved electronic timecards, wherein said purchase order is configured for use in generating a payment for said contractor services.

2. A system as described in Claim 1 wherein said computer implemented procurement module further comprises a workflow module coupled to said timecard module, wherein said workflow module is configured to allow an approver to approve and decline said electronic timecards.

3. A system as described in Claim 2 wherein said timecard module is further configured to generate an approval notification in response to receiving an electronic timecard from said buyer module.

4. A system as described in Claim 3 wherein said approval notification is an electronic mail message comprising an approval form readable by said workflow module, wherein said timecard module is further configured to transmit said electronic mail message to an approver related to said contractor services.

5. A system as described in Claim 4 wherein said approval form is readable by an electronic mail program, and wherein said computer implemented procurement system is configured to receive said approval form returned after being completed by said approver.

6. A system as described in Claim 2 wherein said buyer module is configured to provide a browser based user interface, and wherein said procurement module is configured to be hosted on a remote server system.

7. A system as described in Claim 2 wherein said computer implemented procurement system further comprises an external report generating module configured to generate information to be used by external applications, and wherein said external report generating module is configured to format said information using XML data.

8. A system as described in Claim 2 wherein said electronic timecard comprises a plurality of line items describing said contractor services and comprising:

a contractor identification;

a description of services rendered;

an amount of hours performed for said services rendered;

an hourly rate for said hours; and

subtotals representing said amount of hours by said hourly rate.

9. A system as described in Claim 2 wherein said timecard module comprises a contractor profile for a contractor, said contractor profile comprising:

a contractor identification;

authorized projects for said contractor;

authorized work types for said contractor;

an authorized hourly rate for said contractor; and

an approver for said contractor.

10. A system as described in Claim 3 wherein said electronic timecard comprises a plurality of line items, and wherein said approval notification comprises information from said electronic timecard and an accounting code associated with each line item of said electronic timecard.

11. A method of approving an electronic timecard comprising:

- a) generating an electronic timecard comprising line items describing: a contractor; services rendered; hourly amounts; and hourly rates;
- b) in response to a), generating a notification to an approver associated with said contractor, said notification comprising an approval form and information related to said electronic timecard;
- c) in response to receiving said approval form indicating approval of said timecard, generating a purchase order comprising information from said timecard; and
- d) transmitting said purchase order to execute payment to said contractor of said timecard, wherein a) - d) are performed by a procurement system configured to process both purchase order requisitions each specifying one or more goods to be purchased and timecard information specifying time information related to one or more rendered services.

12. A method as described in Claim 11 wherein a) is performed by a buyer using a browser based computer system and wherein said procurement system is hosted on a remote server from said buyer.

13. A method as described in Claim 11 wherein said notification is a first electronic mail message transmitted to said approver and stored in an electronic mailbox.

14. A method as described in Claim 13 further comprising transmitting said approval form from said approver to said procurement system via a second electronic mail message.

15. A method as described in Claim 13 wherein said notification comprises accounting codes associated with said line items of said timecard.

16. A method as described in Claim 11 wherein d) is performed using XML data.

17. A computer system comprising:

a processor coupled to a bus;

a memory coupled to said bus and comprising program instructions executable by the processor to implement a method of approving an electronic timecard comprising:

- a) generating an electronic timecard comprising line items describing: a contractor; services rendered; hourly amounts; and hourly rates;
- b) in response to a), generating a notification to an approver associated with said contractor, said notification comprising an approval form and information related to said electronic timecard;
- c) in response to receiving said approval form indicating approval of said timecard, generating a purchase order comprising information from said timecard; and
- d) transmitting said purchase order execute payment to said contractor of said timecard, wherein a) - d) are performed by a procurement system configured to process both both purchase order requisitions each specifying one or more goods to be purchased and timecard information specifying time information related to one or more rendered services.

18. A computer system as described in Claim 17 wherein as part of a) the instructions are further executable to provide a browser based user interface to a buyer,

and wherein said procurement system is configured to be hosted on a remote server from said buyer.

19. A computer system as described in Claim 17 wherein said notification is a first electronic mail message transmitted to said approver and stored in an electronic mailbox.

20. A computer system as described in Claim 19 wherein said method further comprises transmitting said approval form from said approver to said procurement system via a second electronic mail message.

21. A computer system as described in Claim 19 wherein said notification comprises accounting codes associated with said line items of said timecard.

22. A computer system as described in Claim 17 wherein d) is performed using XML data.

IX. EVIDENCE APPENDIX

No evidence submitted under 37 CFR §§ 1.130, 1.131 or 1.132 or otherwise entered by the Examiner is relied upon in this appeal.

X. RELATED PROCEEDINGS APPENDIX

There are no related proceedings.